

**R E M A R K S**

Reconsideration of this application is respectfully requested.

Claims 1-4 were rejected under 35 USC 103 as being obvious in view of the combination of US 2001/0009443 ("Suemoto et al") and USP 6,401,202 ("Abgrall"). This rejection, however, is respectfully traversed.

Independent claim 1 recites a camera device comprising: an optical system; a driving unit which drives the optical system; and a control unit which: (i) when the camera device is started up in a state in which a recording mode for photographing is set, controls the driving unit to move the optical system to a predetermined state by an initialization processing based on a startup program which does not comprise an operating system and then controls the driving unit based on a control program comprising the operating system, and (ii) when the camera device is started up in a state in which a playback mode for display is set, controls the driving unit based on the control program comprising the operating system without moving the optical system to the predetermined state by the initialization processing based on the startup program.

The Examiner acknowledges on pages 2 and 3 of the Office Action that Suemoto et al does not disclose that when the camera device is started up in a state in which a recording mode for

photographing is set, the driving unit is controlled to move the optical system to a predetermined state by an initialization processing based on a startup program which does not comprise an operating system, and that after the initialization processing as well as when the playback mode is set, the driving unit is controlled based on a control program comprising the operating system.

Abgrall has been cited as disclosing a BIOS program. According to Abgrall, an interrupt sequence corresponding to a plurality of interrupt times is generated at the beginning of the BIOS. A first task is performed at the interrupt times, and a second task is performed between successive interrupt times. (See the abstract and column 2, lines 32-36 of Abgrall.)

The Examiner asserts that it would have been obvious to combine the teachings of Suemoto et al with a BIOS program as disclosed by Abgrall, and the Examiner asserts that the camera device recited in independent claim 1 (and the method recited in independent claim 4) would have been achieved by such a combination.

It is respectfully pointed out, however, that Suemoto et al discloses shortening the start-up processing by simultaneously driving the stepping motor 72 for focusing and the DC motor 70 for zooming (paragraph [0081] cited by the Examiner on pages 2 and 3 of the Office Action). It is respectfully submitted,

therefore, that it is not necessary or obvious to modify Suemoto et al to include a startup routine as part of the POST routine of the BIOS to initialize the optical system to a known state before loading the operating system as suggested by the Examiner.

With the structure of independent claim 1, when a recording mode is set when the device is started up by power-on, an initializing operation (see steps SA8 to SA13 in Fig. 4) in which, for example, the lens group 11 is zoomed open, is immediately started without waiting for the startup of the operating system (OS). During this time, operations required for the other initializations may also be carried out. Accordingly, the starting time required for photographing with a camera device having a movable lens 11, for example, can be markedly reduced, and speedup of the starting time is possible. See the disclosure in the specification at, for example, page 18, line 19 to page 19, line 2.

It is respectfully submitted that, even in view of a BIOS program as disclosed by Abgrall, Suemoto et al does not disclose, teach or suggest the structural features and advantageous effects of the camera device as recited in independent claim 1, whereby, in particular, the camera device comprises a control unit which:

- (i) when the camera device is started up in a recording mode, controls the driving unit by an initialization processing based on a startup program which does not comprise an operating system

and then controls the driving unit based on a control program comprising the operating system, and (ii) when the camera device is started up in a playback mode, controls the driving unit based on the control program comprising the operating system without moving the optical system to the predetermined state by the initialization processing based on the startup program.

Independent claim 4, moreover, recites a method for starting a camera device comprising an optical system, wherein the method comprises: determining, when starting up the camera device, whether one of a recording mode for photographing and a playback mode for display is set; and starting a movement of the optical system to a predetermined state by an initialization processing based on a startup program which does not comprise an operating system before starting a processing based on a control program comprising the operating system, when it is determined that the recording mode for photographing is set, and starting the processing based on the control program comprising the operating system without moving the optical system to the predetermined state by the initialization processing based on the startup program, when it is determined that the playback mode for display is set.

And it is respectfully submitted that, even in view of a BIOS program as disclosed by Abgrall, Suemoto et al also does not disclose or render obvious independent claim 4.

In view of the foregoing, it is respectfully submitted that independent claims 1 and 4, and claims 2 and 3 depending from claim 4, clearly patentably distinguish over Suemoto et al and Abgrall, taken singly or in combination, under 35 USC 103.

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Entry of this Response, allowance of the claims and the passing of this application to issue are respectfully solicited.

If the Examiner has any comments, questions, objections or recommendations, the Examiner is invited to telephone the undersigned at the telephone number given below for prompt action.

Respectfully submitted,

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